

The Role of ICE in U.S. Immigration Enforcement

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Immigration enforcement is a traditional center of political and moral framing in the United States, indicative of broader friction between national security and human rights. The United States is a country that has historically been defined by migration, and its self-perception as a land of opportunity and refuge has always clashed with the sovereign consequences of its borders. The birth of Immigration and Customs Enforcement (ICE) in 2003, which occurred in the aftermath of the September 11 terrorist attacks, was a great change concerning the manner in which the U.S. government handled immigration and internal security. The Department of Homeland Security produced ICE, which was intended to unify enforcement duties and provide responses to perceived threats to security. The agency is instrumental in the identification, detention, and deportation of undocumented immigrants, so it is a strong tool of state power. Nevertheless, the growing mandate of ICE has become a controversial topic, and its critics have questioned its efficacy, legality, and humanitarian consequences. Even though the ICE has been justified as a necessary institution to keep border security and safeguard national security, its application of practices has, over time, worsened civil liberties, instigated mistrust among communities, and unveiled inherent weaknesses of the U.S immigration system.

The activities of ICE are often defended by the fact that lawful control of immigration is necessary to secure national security. A sovereign state needs to have the ability to control entry and expel people who can be threats. ICE has been engaged in activities to reduce human trafficking, drug smuggling rings, money laundering, and the defrauding of documents transnationally. According to government reports and official statements, the agency helps to determine people with criminal backgrounds and disrupt inter-border unlawful actions (U.S. Immigration and Customs Enforcement, 2024). Nevertheless, a more detailed examination indicates a disconnect between this justification and the real

implementation results. Empirical evidence indicates that non-violent migrants or those who committed minor administrative offenses, including visa overstay, make a significant percentage of those detained by ICE, not serious criminal offenses (Farley, 2026). Such inefficiency with the allocation of resources is aimed at distracting the focus from high-risk cases and decreasing the effectiveness of enforcement tools. Consequently, the alleged connection of ICE practices to strengthened national security becomes more distant. Hence, although the issue of national security continues to be justified, the expansive and discriminatory application of ICE undermines the validity of that argument.

The second important issue is that the enforcement practices of ICE violate civil liberties and basic human rights. Human rights organizations have recorded evidence of extended and even indefinite detention, forced separation of families, and limited access to legal representation in ICE detention facilities. These organizations also highlight overcrowding, poor medical services, and insufficient supervision in the detention centers (Saadi et al., 2020). The examination of such practices shows that the system of the enforcement of immigration has changed to stop immigration, not in a regulatory regime that serves to administratively control migration, but in a punitive regime that resembles imprisonment as a crime. This change also disproportionately affects vulnerable groups, such as asylum seekers or those fleeing violence or persecution. This treatment is inconsistent with constitutional guarantees of due process, as well as human rights standards of a civilized approach to treatment and the right to justice on an international level. As a result, ICE practices contradict the principles of democracy that the United States claims to be in practice, questioning the ethical nature of the existing enforcement policies.

Moreover, the enforcement policies of ICE also lead to the deterioration of community trust and general public safety. Research highlights that the fear of getting into detention or being deported will deter undocumented migrants from reporting crimes, being

compliant with the police investigations, or even receiving necessary services in the community. Investigations in the community where the activity of ICE is high show a decrease in contact with healthcare services, schools, and law enforcement (Bellows, 2021). A comparison of these trends brings out a paradox in the enforcement policy in that violent actions aimed at increasing security can actually diminish it through encouraging marginalized groups to move into isolation. Communities that fear engaging in public institutions will deprive the law enforcement bodies of vital information and put the safety of the citizens at greater risk. Such loss of trust destroys social cohesiveness and strengthens the rifts between the immigrant groups and the state. Therefore, instead of delivering sustainable security, the practice by ICE leads to institutional instability in the long run and sustainable societal safety.

Proponents of ICE point out that a lack of stringent enforcement would invalidate the immigration laws, inviting criminal interference with the law and saturating the resources of the populace. This idea is supported by research highlighting that illegal immigration grows during perceived laxity in enforcement, and it creates strains upon housing, health, and work structures (Eshetu et al., 2026). This view emphasizes legal adherence and state sovereignty. Yet, this argument does not consider structural reasons of migration, including global economic inequality, political instability, violence, and humanitarian crisis. Contrary to this opinion, there has been evidence that deterrence-based enforcement has had little monetary effect on reducing the illegal flow of migration but has led to more humanitarian suffering and administrative expenses (Jacobsen & Machold, 2025). Migrants frequently move regardless of risk, which points to the fact that enforcement cannot be abused to listen to structural push factors. Hence, enforcement without systemic reform could not deal with underlying causes, which further confirms the strengths of the current position of ICE.

To sum up, the enforcement of the law ICE has created concerning the problem of the national security system and maintenance of immigration remains, providing some significant legal, social, and ethical concerns, despite the fact that it was meant to ensure national security. The discussion shows that the security justification by ICE is not fully applied on a consistent basis, and its practices tend to infringe on civil liberties, and its existence undermines community trust. In addition, the counter-arguments supporting stringent enforcement do not explain the underlying structural facts that motivate migration. To anticipate, a meaningful reform should strike a balance between legitimate enforcement and protection of human rights and community-based policies.

References

- Bellows, L. (2021). The Effect of Immigration Enforcement on School Engagement: Evidence From 287(g) Programs in North Carolina. *AERA Open*, 7(1), 233285842110394. <https://doi.org/10.1177/23328584211039467>
- Eshetu, H. B., Blackford, K., Lobo, R., Alemu, M. B., Tessema, G. A., & Crawford, G. (2026). Housing Insecurity and Health Outcomes Among Migrants from Culturally and Linguistically Diverse Backgrounds in High-Income Countries: A Scoping Review. *Journal of Immigrant and Minority Health*. <https://doi.org/10.1007/s10903-026-01849-4>
- Farley, R. (2026, January 28). *As ICE Arrests Increased, a Higher Portion Had No U.S. Criminal Record - FactCheck.org*. FactCheck.org. <https://www.factcheck.org/2026/01/as-ice-arrests-increased-a-higher-portion-had-no-u-s-criminal-record/>
- Jacobsen, M. H., & Machold, R. (2025). Refusing deterrence. *Journal of Ethnic and Migration Studies*, 1–18. <https://doi.org/10.1080/1369183x.2024.2441604>
- Saadi, A., Young, T., Patler, C., Estrada, J. L., & Venters, H. (2020). Understanding US Immigration Detention: Reaffirming Rights and Addressing Social-Structural Determinants of Health. *Health and Human Rights*, 22(1), 187. <https://pmc.ncbi.nlm.nih.gov/articles/PMC7348446/>
- U.S. Immigration and Customs Enforcement. (2024). *ICE's Mission*. [Www.ice.gov. https://www.ice.gov/mission](https://www.ice.gov/mission)